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Attorney's Docket No.: 13906-139001

Client's Ref. No.: 2003P00611

US01

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Applicant: Wu et al.

Art Unit : 2161

Serial No.: 10/780,173

Examiner: Safet Metjahic

Filed

: February 17, 2004

Title

: Filtering Process for Information Retrieval Systems

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

A Response to Restriction Requirement (2 pages) dated August 25, 2006 is attached.

Respectfully submitted,

Date: August 25, 2006

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Attorney's Docket No.: 13906-139001 / 2003P00611 US01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wu et al.

Art Unit : 2161

Serial No.: 10/780,173

Examiner: Safet Metjahic

Filed

: February 17, 2004

Title

Conf. No.: 1739

: FILTERING PROCESS FOR INFORMATION RETRIEVAL SYSTEMS

Mail Stop Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

In response to the restriction requirement mailed August, 8, 2006, Applicants elect Group 2, with traverse. In particular, Applicants respectfully traverse the restriction requirement because the Patent Office has failed to provide the required justification for the restriction requirement.

"Under [35 U.S.C. 121], the claims of an application may properly be required to be restricted to one of two or more claimed inventions only if they are able to support separate patents and they are either independent ... or distinct...." MPEP § 803. (Emphasis added.) "If the search and examination of all the claims in an application can be made without serious burden, the examiner must examine them on the merits, even though they include claims to independent or distinct inventions." Id. (Emphasis added.) The particular reasons on which the Patent Office relies for holding that the inventions as claimed are either independent or distinct should be concisely stated. A mere statement of conclusion is inadequare. MPEP § 808.01. (Emphasis added.)

The present Office Action does not meet the above-quoted requirements. The Patent Office has not provided any explanation as to why search and examination of all claims in the application can be made without serious burden. To the extent that the Patent Office relies on

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Applicant : Wu ct al.

Serial No.: 10/780,173 Filed: February 17, 2004

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"separate classification" under MPEP § 803 as a *prima facie* showing of serious burden, the Patent Office has not provided an "appropriate explanation of separate classification, or separate status in the art, or a different field of search." Accordingly, Applicants respectfully submit that the restriction requirement is improper and requests that it be withdrawn.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: Arout 25, 2006

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